

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

MAGIC LABS, INC.,)
Plaintiff,)
v.) C.A. No. 23-967 (RGA)
HORKOS, INC. d/b/a PRIVY)
Defendant.)

**DEFENDANT HORKOS, INC.’S MOTION TO DISMISS THE COMPLAINT
PURSUANT TO FED. R. CIV. P. 12(B)(6) AND 35 U.S.C. § 101**

Pursuant to Fed. R. Civ. P 12(b)(6) and 35 U.S.C. § 101, Defendant Horkos, Inc. (“Horkos”) moves to dismiss the Plaintiff’s Complaint for infringement of U.S. Patent No. 11,546,321 for lack of patentable subject matter. The grounds for this motion are set forth more fully in Horkos’s Opening Brief, submitted herewith.

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November 16, 2023

CERTIFICATE OF SERVICE

I hereby certify that on November 16, 2023, I caused the foregoing to be electronically filed with the Clerk of the Court using CM/ECF, which will send notification of such filing to all registered participants.

I further certify that I caused copies of the foregoing document to be served on November 16, 2023, upon the following in the manner indicated:

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